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**UNITED STATES DISTRICT COURT****EASTERN DISTRICT OF TEXAS**

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NATHANIEL JONES, III,

Plaintiff,

*versus*GWENDOLYN SPURLOCK, *et al.*,

Defendants.

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CIVIL ACTION NO. 9:23-CV-222

**ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Nathaniel Jones, III, a prisoner previously confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Gwendolyn Spurlock, Sarah Horace, Robert L. Tanner, III, Charles C. Hicks, and unidentified Defendants.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. On June 12, 2024, the magistrate judge recommended dismissing the action without prejudice for want of prosecution pursuant to 28 U.S.C. § 1915(g), unless Plaintiff paid the full filing fee within fourteen days. To date, the parties have not filed objections to the report. Plaintiff has not paid the full filing fee.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge (#21) is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation. The clerk of court is directed to refund \$184.00 to the plaintiff.

SIGNED at Beaumont, Texas, this 1st day of August, 2024.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE